

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MARYLAND  
NORTHERN DIVISION**

JEFFREY F. and DONNA LAWRENCE

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Plaintiffs

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v.

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CIVIL ACTION

NO. RDB-02-CV-3224

THE "IMAGINE...!" YACHT, LLC, et al.

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Defendants

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THE "IMAGINE...!" YACHT, LLC, et al.

\*

Third-Party Plaintiffs

\*

v.

\*

SHER & BLACKWELL, LLP

\*

Third-Party Defendant

\*

\* \* \*

**OPPOSITION TO PLAINTIFF'S MOTION FOR LEAVE TO FILE SURREPLY**

Defendant, Latitude 38, LLC d/b/a Annapolis Bay Charters, by its counsel, David W. Skeen and Wright, Constable & Skeen, LLP opposes Plaintiff's Motion for Leave to File Surreply in opposition to Defendant Latitude's Motion for Summary Judgment and for reasons therefore states as follows:

1. Plaintiff requests leave to file a surreply to “clarify the record” and “respond” to allegedly “inaccurate arguments” of defendant, Latitude 38°, with respect to “control” over the crew and operation of schooner “IMAGINE”.

2. As is apparent from plaintiffs’ Memorandum in support of its Motion, however, plaintiffs are simply requesting another opportunity to rehash the arguments previously made.

3. Plaintiffs’ Motion to File Surreply should be denied, however, in the interest of moving things along, defendant, Latitude 38°, responds to plaintiffs’ old arguments and one new case citation in its memorandum filed herewith.

/s/  
David W. Skeen

/s/  
Wright, Constable & Skeen, L.L.P.  
One Charles Center, 16<sup>th</sup> Floor  
100 N. Charles Street  
Baltimore, Maryland 21201-3812  
(410) 659-1307  
Attorneys for Defendant and  
Third-Party Plaintiff,  
Latitude 38° LLC

**CERTIFICATE OF MAILING**

I HEREBY CERTIFY that on this 23rd day April, 2004, copies of defendant, Latitude 38° LLC's Opposition to Plaintiff's Motion for Leave to File Surreply, was served via e-filing and/or mailed, first class, postage prepaid to Murray I. Resnick, Esq. and Prabir Chakrabarty, Esq., Resnick & Abraham, L.L.C., One East Franklin Street, Baltimore, Maryland 21202, Attorneys for Plaintiffs; Robert H. Bouse, Jr., Esq., 201 N. Charles Street, Suite 2000, Baltimore, Maryland 21201-4102, Attorney for defendant, The "Imagine...!" Yacht, LLC., and Eric N. Stravitz, Esq., 2015 R Street, NW, Suite 300, Washington, D.C. 20009, Attorney for Third-Party Defendant, Sher & Blackwell.

\_\_\_\_\_/s/\_\_\_\_\_  
David W. Skeen #01084